

ASSEMBLY BILL

No. 1738

Introduced by Assembly Member Washington

January 10, 2000

An act to amend Section 49600 of, to add Section 49600.5 to, and to add Article 3.6.1 (commencing with Section 32228.4) to Chapter 2 of Part 19 of, the Education Code, relating to educational counseling, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1738, as introduced, Washington. Educational counseling.

Existing law authorizes the governing board of a school district to provide a comprehensive educational counseling program for all pupils enrolled in the schools in the district.

This bill would establish the Middle School Counselor Conflict Resolution Program, a 2-year statewide demonstration program, coordinated by the Superintendent of Public Instruction to award grants to middle schools or schools that maintain any of grades 6 to 8, inclusive, for credentialed school counselors trained in conflict resolution. The bill would appropriate \$5,000,000 from the General Fund to the Superintendent of Public Instruction for that program. The funds appropriated by the bill would be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.

The bill would authorize the governing board of every school district that maintains kindergarten or any of grades 1 to 12, inclusive, to develop a plan for the establishment of a comprehensive education counseling and guidance program.

Vote: majority. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Article 3.6.1 (commencing with Section 32228.4) is added to Chapter 2 of Part 19 of the Education Code, to read:

Article 3.6.1. Middle School Counselor Conflict Resolution Program

32228.4. (a) The Middle School Counselor Conflict Resolution Program, a two-year statewide demonstration project, is hereby established and shall be administered by the Superintendent of Public Instruction for the purpose of awarding grants to middle schools or schools that maintain any of grades 6 to 8, inclusive, for credentialed school counselors trained in conflict resolution. To be eligible for funding of the demonstration project, schools or school districts shall develop and implement a conflict resolution program within a comprehensive educational counseling and guidance program pursuant to Sections 49600 and 49600.5.

(b) It is the intent of the Legislature that schoolsites receiving grants pursuant to this section accomplish all of the following goals:

(1) Teach all pupils techniques for resolving conflicts without resorting to the use of violence.

(2) Train all school staff and administrators in conflict resolution and mediation techniques for conflicts between or among pupils and to support and promote these programs in their schools.

(3) Reduce the incidence of violence at the schoolsite.

1 (4) Implement a comprehensive safe school plan that
2 includes a comprehensive educational counseling and
3 guidance program.

4 (c) As a condition of receiving a demonstration grant,
5 each eligible school or school district shall do all of the
6 following:

7 (1) Certify that a reduction in the ratio of pupils to
8 credentialed school counselors is expected to result upon
9 implementation of the program established pursuant to
10 this section, and that all funds in this section are used to
11 supplement and not supplant existing school programs or
12 personnel.

13 (2) Revise school safety plans to show how funding
14 received pursuant to the program will be used to provide
15 needed assistance to pupils, and submit the revised school
16 safety plans pursuant to Sections 35294.1 to 35294.9,
17 inclusive.

18 (3) Hold a public meeting at the schoolsite to allow
19 members of the public the opportunity to express
20 opinions about the school safety plan.

21 (4) Encourage all parents of pupils at the school to
22 participate in the establishment of a conflict resolution
23 program as a component of the comprehensive
24 educational counseling program.

25 (5) Encourage all parents of pupils identified with
26 needs that require conflict resolution to participate in
27 conflict resolution training.

28 (6) Develop a comprehensive educational counseling
29 program accessible to all pupils pursuant to Sections
30 49600 and 49600.5.

31 (d) The Superintendent of Public Instruction shall
32 provide training and technical assistance to schools and
33 school districts, and shall evaluate the Middle School
34 Counselor Conflict Resolution Program for continuous
35 quality improvement pursuant to this section. This
36 evaluation shall be completed and, notwithstanding
37 Section 7550.5 of the Government Code, shall be
38 submitted to the Governor and the Legislature no later
39 than September 1, 2002.

(e) To perform the duties of this section, up to 5 percent of the total funds appropriated for purposes of this section may be utilized by the Superintendent of Public Instruction for training and administrative costs.

(f) The amount of five million dollars (\$5,000,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction, for the purpose of awarding grants to middle schools or schools that maintain any of grades 6 to 8, inclusive, for the purposes of this article.

SEC. 2. Section 49600 of the Education Code is amended to read:

49600. (a) The governing board of any school district may provide a comprehensive educational counseling program for all pupils enrolled in the schools of the district.

For purposes of this ~~section~~ *chapter*, “educational counseling” means specialized services provided by a school counselor possessing a valid credential with a specialization in pupil personnel services who is assigned specific times to directly counsel pupils.

(b) Educational counseling shall include, but not be limited to, all of the following:

(1) Academic counseling, in which pupils receive counseling in the following areas:

(A) Establishment and implementation with parental involvement of the pupil’s immediate and long-range educational plans.

(B) Optimizing progress towards achievement of proficiency standards.

(C) Completion of the required curriculum in accordance with the pupil’s needs, abilities, interests, and aptitudes.

(D) Academic planning for access and success in higher education programs including advisement on courses needed for admission to public colleges and universities, standardized admissions tests, and financial aid.

(2) Career and vocational counseling, in which pupils are assisted in doing all of the following:

- 1 (A) Planning for the future.
- 2 (B) Becoming aware of their career potential.
- 3 (C) Developing realistic perceptions of work.
- 4 (D) Relating to the work world.

5 (3) Personal and social counseling, in which pupils
6 receive counseling pertaining to interpersonal
7 relationships for the purpose of promoting the
8 development of their academic abilities, careers and
9 vocations, personalities, and social skills.

10 (c) Nothing in this section shall be construed as
11 prohibiting persons participating in an organized
12 advisory program approved by the governing board of a
13 school district, and supervised by a school district
14 counselor, from advising pupils pursuant to the organized
15 advisory program.

16 (d) Notwithstanding any provisions of this section to
17 the contrary, any person who is performing these
18 counseling services pursuant to law authorizing the
19 performance thereof in effect before January 1, 1987, shall
20 be authorized to continue to perform those services on
21 and after that date without compliance with the
22 additional requirements imposed by this section.

23 SEC. 3. Section 49600.5 is added to the Education
24 Code, to read:

25 49600.5. (a) The governing board of every school
26 district that maintains kindergarten or any of grades 1 to
27 12, inclusive, may develop a plan for the establishment of
28 a comprehensive educational counseling and guidance
29 program to be offered at each school within the district.

30 (b) These plans shall include all of the following
31 criteria:

32 (1) Developmentally appropriate “pupil
33 competencies” that describe the specific knowledge,
34 attitudes, and skills that pupils should obtain as a result of
35 participating in an educational counseling program. The
36 pupil competencies shall be organized according to clear
37 standards for the academic, career, personal, and social
38 development of pupils.

1 (2) Whenever relevant, a specific strategy for phasing
2 out noncounseling activities currently being performed
3 by counselors.

4 (3) Provisions to ensure that providing direct
5 prevention and intervention services to pupils, their
6 parents, and teachers shall constitute at least 80 percent
7 of every counselor's time. These services shall address
8 barriers to learning, including, but not limited to, poor
9 study skills, behavioral problems, lack of conflict
10 resolution skills, school violence, substance abuse, and
11 poor attendance.

12 (4) Provisions for links between the educational
13 guidance and counseling program and resources in the
14 community and for interschool coordination among pupil
15 personnel specialists.

16 (5) A statement by the school district that addressed
17 expected pupil outcomes as a result of participation in the
18 comprehensive school guidance and counseling program.

19 (6) A description of specific roles for credentialed
20 school counselors, other pupils services staff, teachers,
21 administrators, and supervised paraprofessionals.

22 (7) Classroom guidance activities.

23 (8) A specific statement of the roles of all support
24 personnel and the institutional supports to ensure
25 support personnel collaboration in all phases of the
26 program's operation.

27 (9) A recommended maximum school counselor to
28 pupil ratio of 1 to 500 in kindergarten or any of grades 1
29 to 5, inclusive, 1 to 400 in grades 6 to 8, inclusive, or 1 to
30 300 in grades 9 to 12, inclusive.

31 (10) Provisions for monitoring, accountability,
32 evaluation, and ongoing training of all support services
33 staff.

34 (c) The provision of comprehensive, prevention
35 oriented counseling and guidance programs shall be
36 based upon criteria that is similar in intent and specific
37 content to the National Standards for School counseling
38 Programs drafted and adopted by the American School
39 Counselor Association and include the following
40 components:

- 1 (1) A guidance curriculum.
- 2 (2) Individual counseling services.
- 3 (3) Group counseling services.
- 4 (4) Collaboration with other school and community
- 5 resources.
- 6 (d) Pupils, parents, representatives of community and
- 7 government agencies, and existing advisory committees
- 8 or councils shall collaborate with counselors, teachers,
- 9 and other school personnel to develop the program.
- 10 (e) Credentialed school counselors shall facilitate all
- 11 phases of program planning, implementation, and
- 12 evaluation, in conjunction with other support services
- 13 staff, including school psychologists, school social
- 14 workers, school nurses, and child welfare and attendance
- 15 workers.

